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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. CR08-082-RSL
10)
11 Plaintiff,)
12)
13 v.)
14 JOSE MORALES-VICTORIA,)
15)
16 Defendant.)
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14 Offense charged: Conspiracy to Distribute Cocaine and Crack Cocaine; Forfeiture Allegation

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16 Date of Detention Hearing: March 25, 2008

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
19 that no condition or combination of conditions which defendant can meet will reasonably assure
20 the appearance of defendant as required and the safety of other persons and the community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 1. Defendant has been charged with a drug offense the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both
02 dangerousness and flight risk, under 18 U.S.C. §3142(e).

03 2. Defendant is believed to be a citizen of Mexico, who is alleged to be in the United
04 States illegally. An immigration detainer has been filed.

05 3. Defendant does not contest detention.

06 4. Taken as a whole, the record does not effectively rebut the presumption that no
07 condition or combination of conditions will reasonably assure the appearance of the defendant as
08 required and the safety of the community.

09 It is therefore ORDERED:

- 10 (1) Defendant shall be detained pending trial and committed to the custody of the
11 Attorney General for confinement in a correction facility separate, to the extent
12 practicable, from persons awaiting or serving sentences or being held in custody
13 pending appeal;
- 14 (2) Defendant shall be afforded reasonable opportunity for private consultation with
15 counsel;
- 16 (3) On order of a court of the United States or on request of an attorney for the
17 Government, the person in charge of the corrections facility in which defendant is
18 confined shall deliver the defendant to a United States Marshal for the purpose of
19 an appearance in connection with a court proceeding; and
- 20 (4) The clerk shall direct copies of this Order to counsel for the United States, to
21 counsel for the defendant, to the United States Marshal, and to the United States

01 Pretrial Services Officer.

02 DATED this 25th day of March, 2008.

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04 Mary Alice Theiler
05 United States Magistrate Judge